

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**DAVID WILLIAM LINDER,**

**Plaintiff,**

**1:16-cv-962  
(GLS/DJS)**

**v.**

**NEW YORK STATE POLICE,**

**Defendant.**

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**APPEARANCES:**

**OF COUNSEL:**

**FOR THE PLAINTIFF:**

DAVID WILLIAM LINDER  
25913-048  
Plaintiff, *pro se*  
Pekin Federal Correctional Facility  
Inmate Mail/Parcels  
P.O. Box 5000  
Pekin, IL 61555

**Gary L. Sharpe  
Senior District Judge**

**ORDER**

The above-captioned matter comes to this court following a Report-Recommendation and Order by Magistrate Judge Daniel J. Stewart, duly filed on April 10, 2017. (Dkt. No. 13.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections

filed by the parties herein.

No objections having been filed, and the court having reviewed the Report-Recommendation for clear error, it is hereby

**ORDERED** that the Report-Recommendation (Dkt. No. 13) is **ADOPTED** in its entirety; and it is further

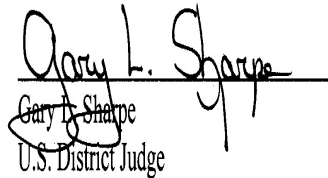
**ORDERED** that this action is **DISMISSED** pursuant to 28 U.S.C. §§1915(e) and 1915A; and it is further

**ORDERED** that the Clerk close this case; and it is further

**ORDERED** that the clerk provide a copy of this Order to the parties in accordance with the court's Local Rules of Practice.

**IT IS SO ORDERED.**

May 2, 2017  
Albany, New York

  
Gary L. Sharpe  
U.S. District Judge